

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
In re)	
)	
ACT MANUFACTURING, INC. et al.,)	Chapter 11 Bankruptcy
)	Case No. 01-47641-JBR
Debtors.)	(Substantively Consolidated)
_____)	
)	
CRAIG R. JALBERT, LIQUIDATING)	
CEO, AS REPRESENTATIVE OF THE)	
ESTATE OF THE CONSOLIDATED)	
DEBTORS,)	
)	
Plaintiff,)	Civil Action
)	No. 04-40088-PBS
v.)	
)	
ALCATEL USA MARKETING, INC.,)	
)	
Defendant.)	
_____)	

**MOTION TO DEFER DISPOSITION OF DEFENDANT'S
MOTION FOR LEAVE TO APPEAL AND REQUEST FOR ORAL ARGUMENT**

To the Honorable Patti B. Saris, United States District Court Judge:

Defendant Alcatel USA Marketing, Inc. ("Marketing") hereby moves that this Court defer its ruling on the *Defendant's Motion for Leave to Appeal and Request for Oral Argument*. As grounds for the foregoing request, the Defendant states that the parties have reached an agreement to settle the above referenced adversary proceeding, which, if approved by the United States Bankruptcy Court for the District of Massachusetts, will render the appeal moot, after which the Defendant will file a notice of dismissal of the appeal with prejudice.

ALCATEL USA MARKETING, INC.

By its attorneys,

/s/ Michael J. Fencer

Bruce F. Smith (BBO No. 467900)
Steven C. Reingold (BBO No. 638649)
Michael J. Fencer (BBO No. 648288)
JAGER SMITH P.C.
One Financial Center
Boston, Massachusetts 02111
telephone: (617) 951-0500
facsimile: (617) 951-2414
email: mfencer@jagersmith.com

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Joseph A. Friedman, Esq. (Admitted PHV)
KANE, RUSSELL, COLEMAN & LOGAN, P.C.
3700 Thanksgiving Tower
1601 Elm Street
Dallas, Texas 75201
telephone: (214) 777-4200
facsimile: (214) 777-4299
email: friedmj@krcl.com

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